

Friday, January 07, 2005

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Re: 09/991,512

**Value Dash patent application reponse to First Office Action from
Arthur Duran (USPTO) dated June 29, 2004.**

To: Arthur Duran & Eric Stamber fax (703) 872-9306.
USPTO unit 3622

From: Howard Willers, (408) 891-7228, howard@itutilityusa.com
2331 Saidel Drive #3, San Jose, CA 95124

Today is our drop dead date. I spoke with Eric Stamber at (703) 305-8469 re our situation – we have every intention of pursuing the patent application to its final conclusion regardless of the cost. As I mentioned to Eric we have had the Fortune 500 company EDS FEDEX us a NDA for licensing discussions etc but we want our patent protection first. We have had Novell express an interest in investing in us. Our patent is an entirely new way for the Fortune 500 to their new product polling/research with their clients. Our problem/issue is time – specifically USPTO deadlines.


Our patent attorney was hospitalized for a heart attack in early December 2004 and has not responded to our 20+ phone calls or our numerous emails. We assume he is either dead or has been hospitalized again. He has had all the materials to reply to USPTO's Arthur Duran's June 29th, 2004 First Office Action for about 2 months. We have had and have an excellent relationship with our patent attorney and think he is a great patent attorney and a great guy but his medical issue has created our current predicament.

Following is: the partial computer technology's response which we sent to our US patent attorney 2 months ago after months of putting it together in response to Arthur Duran's June 29th, 2004 First Office Action.

1. A faxed and signed Revoking of the Power of Attorney for the USPTO website with a change of address to the address above. Our patent attorney was **Howard Lebowitz, Tel (510) 785-8070. 19682 Hesperian Blvd.Suite 208, Hayward, CA 94541**
2. I will next access your website to get the credit card instructions to buy an extension but got this to you first.
3. I have tried to contact the 3 officers numerous times today for further instructions Steve Meyers (vacation), Ken Dorner (alternate Fridays he works), Randy Reese (who is at work today and I have called 5X.)

One of our advisors is Jon Entine (former Executive Producer for 5 years of the NBC nightly News (Tom Brokaw) – when this is all done he has a good story to write about re: what it takes to make it in Silicon Valley. Today we all had to go through our files to find this and stop working with an hour to spare !

Sincerely



Howard Willers